



Ballot Proposition Withdrawal

Government Operations and Political Subdivisions Interim Committee

June 23, 2010



Examples of Ballot Propositions:

- a constitutional amendment
- a bond proposition
- ballot question authorized by the Legislature
 - Shall the municipality provide public telecommunications service to the inhabitants of the municipality?

Utah Code §10-18-24

- local or statewide initiative
- local or statewide referendum



Policy Questions:

- Should there be specific statutory provisions to address the withdrawal of a ballot proposition before the election?
- If yes:
 - For which types of propositions?
 - How close to an election should a proposition be withdrawn?
 - What should the withdrawal process be?




Qualification Process and Timing by Elected Bodies:

Constitutional amendment

- Qualified for the ballot if two-thirds of all the members elected to each of the two houses vote in favor
- Lieutenant Governor certifies no later 50 days before the election
- Next general election (November of an even-numbered year)

Bonds or other ballot questions

- Approve a resolution
- General election or special election



Constitutional Amendment Withdrawal

- **Section 2. Replacing previous resolution -- Submittal to electors.**
- The lieutenant governor is directed to withdraw S.J.R. 1, Resolution Amendment Legislator Eligibility Standards, passed during the 1997 General Session, and submit in its place this proposed amendment to the electors of the state at the next general election in the manner provided by statute.



Qualification Process and Timing

- **Statewide and local initiative and referendum process:**
 - Pre-signature gathering: 5 petition sponsors file an application
 - Gather a certain amount of legal signatures
 - Post-signature gathering: signatures certification and counting, declaration of sufficiency.

- **Timing:**
 - Statewide initiative: next general election
 - Local initiative: next general election or special election
 - Statewide referendum: next general election or special election
 - Local referendum: next general election or special election



Policy Questions:

- Should there be provisions for withdrawal of a ballot proposition?
- If yes:
 - For which types of propositions?
 - How close to an election can a proposition be withdrawn?
 - What should the withdrawal process be?



Other States

State	Who Can Withdraw	Time for Election
California	All proponents of the proposed initiative	any time before filing the petition with the election official
Colorado	Both designated representatives	60 days before election
Nevada	Four out of five of the committee	the earlier of: 30 days before election, or deadline for placing questions on the ballot
Ohio	Majority of the committee members	60 days before election
Oregon	All of the chief petitioners	Before submitting petition for signature verification
South Dakota	Two-thirds of the sponsors	120 days before election
Vermont	Four out five of the committee	15 days before the election



Policy Questions:

- Should there be provisions for withdrawal of a ballot proposition?
- If yes:
 - For which types of propositions?
 - How close to an election can a proposition be withdrawn?
 - What should the withdrawal process be?